

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KENNETH WAYNE LEWIS,

Plaintiff,

v.

JOHN ANDREW RUYMANN,

Defendants.

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Civ. No. 20-18548 (GC) (LHG)

MEMORANDUM & ORDER

Plaintiff is a former federal prisoner. Previously, the Court screened Plaintiff's *pro se* Complaint pursuant to 28 U.S.C. § 1915(e)(2)(B). Plaintiff's Complaint was dismissed with prejudice, Plaintiff was not given leave to amend and this case was closed. (*See* ECF 10 & 11). Subsequently, Plaintiff filed an application to proceed *in forma pauperis* (ECF 12) and a proposed Amended Complaint. (*See* ECF 16). Given these filings by Plaintiff, the Clerk will be ordered to reopen this case.

Plaintiff's application to proceed *in forma pauperis* is denied as unnecessary. Indeed, the Court previously granted Plaintiff *in forma pauperis* status (*see* ECF 11) such that this additional application by Plaintiff is unnecessary.

As noted above, the Court previously dismissed Plaintiff's original Complaint at screening and did not give Plaintiff leave to amend. (*See* ECF 10 & 11). Plaintiff though has now filed a proposed Amended Complaint. Normally, this Court would analyze whether Plaintiff can move forward with his proposed Amended Complaint in this civil action. However, for the reasons stated below, this Court need not undertake such analysis at this time.

It has come to the attention of this Court through other cases Plaintiff has filed that his current address of record in this case, F.C.I. Fort Dix in Fort Dix, New Jersey, is not accurate as mail sent to Plaintiff in those cases has been returned. (See Civ. No. 22-129 Dkt. Nos. 2 & 4; Civ. No. 22-264 Dkt. No. 3). Indeed, the Federal Bureau of Prisons (“BOP”) online inmate locator indicates that the BOP released Plaintiff from its custody on January 20, 2022. See <https://www.bop.gov/inmateloc/> (last visited on January 18, 2023). Accordingly, Plaintiff is in violation of Local Civil Rule 10.1 which requires him to keep this Court advised of his updated address. See L. Civ. R. 10.1(a) (“Counsel and/or unrepresented parties must advise the Court of any change in their or their client’s address within seven days of being apprised of such change by filing a notice of said change with the Clerk.”). Therefore, this Court will order the Clerk to administratively terminate this matter.

Accordingly, IT IS on this 19th day of January, 2023,

ORDERED that the Clerk shall reopen this matter given Plaintiff’s application to proceed *in forma pauperis* (ECF 12) and Plaintiff’s proposed Amended Complaint (ECF 16); and it is further


ORDERED that Plaintiff’s application to proceed *in forma pauperis* (ECF 12) is denied as unnecessary as the Court previously granted Plaintiff *in forma pauperis* status in this case; and it is further

ORDERED that by failing to provide the Court with his current address, Plaintiff has not complied with Local Civil Rule 10.1; and it is further

ORDERED that as a result, the Clerk shall ADMINISTRATIVELY TERMINATE this case; and it is further

ORDERED that if Plaintiff updates his contact information and satisfies the appropriate Rules within thirty (30) days of the date of this Order, the Court will re-open this matter; and it is further

ORDERED that the Clerk shall serve this Order on Plaintiff by regular U.S mail at his last listed address of record.



GEORGETTE CASTNER
United States District Judge